

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

JANE DOE,

Plaintiff,

v.

CIVIL ACTION NO. 2:21-cv-00491

LARRY ALLEN CLAY, JR.,

Defendant.

ORDER

Pending before the undersigned is the *Motion to Quash Subpoena* filed by subpoenaed non-party, the United States of America (hereinafter the “United States”), on July 11, 2022. (ECF No. 64). By order entered on July 14, 2022, the undersigned stayed compliance with that subpoena and ordered Plaintiff Jane Doe (“Plaintiff”) to file a response to the United States’s motion by July 25, 2022. (ECF No. 66 at 2). To date, however, Plaintiff has not filed a response.

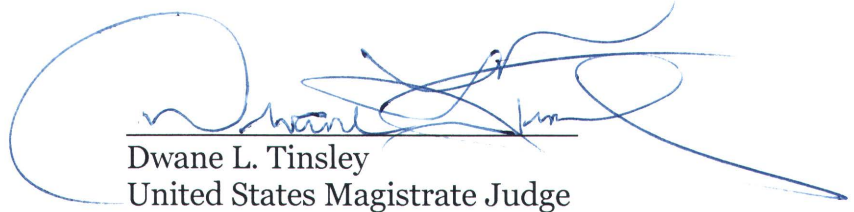
Similarly, also pending before the undersigned is the *Motion to Quash Subpoena* filed by subpoenaed non-party, the City of Gauley Bridge (hereinafter the “City”), on September 6, 2022. (ECF No. 74). By order entered on September 7, 2022, the undersigned stayed compliance with that subpoena and ordered Plaintiff to file a response to the City’s motion by September 20, 2022. (ECF No. 77 at 2). To date, however, Plaintiff has not filed a response.

In light of the foregoing, the undersigned **FINDS** that Plaintiff's failure to respond to either motion acts as a concession on the motion under the circumstances. Accordingly, **IT IS ORDERED** that the United States's *Motion to Quash Subpoena* (ECF No. 64) and the City of Gauley Bridge's *Motion to Quash Subpoena* (ECF No. 74) are each hereby **GRANTED**.

IT IS SO ORDERED.

The Court **DIRECTS** the Clerk of Court to send a copy of this Order to counsel of record, to any unrepresented party, and to counsel for the United States.

ENTERED: February 26, 2025



Dwane L. Tinsley
United States Magistrate Judge